

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CORINTHIAN EDWARDS,

Case No. 2:22-cv-00007-GMN-NJK

Petitioner,

v.

ORDER

CALVIN JOHNSON, et al.,

Respondents.

Petitioner Corinthian Edwards, a Nevada state prisoner, has submitted a *pro se* Petition for Writ of Habeas Corpus (ECF No. 1-1) pursuant to 28 U.S.C. § 2254. This habeas matter is before the Court on Petitioner's Application to Proceed *In Forma Pauperis* (ECF No. 1).

Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize a person to begin an action without prepaying fees and costs if the person demonstrates poverty through an IFP application. A prisoner's IFP application must be submitted on the court's form and include specific financial information: (1) a copy of the prisoner's account statement for the six-month period prior to filing, (2) a financial certificate signed by the prisoner *and* an authorized prison official, and (3) the prisoner's financial acknowledgement confirming under the penalty of perjury that the financial information is true. 28 U.S.C. § 1915; LSR 1-1, LSR 1-2.

Here, Petitioner has requested IFP status to waive his filing fee. Petitioner instructs the Court to see attached financial certificate. *See* ECF No. 1 at 2. However, he has not submitted a financial certificate signed by an authorized officer at the Nevada Department of Corrections. In addition, Petitioner has not submitted a certified copy of his inmate trust account statement for the six-month period preceding this habeas action.

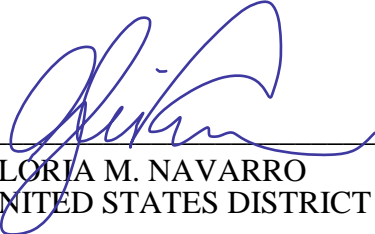
Although he may qualify for IFP status, the Court is unable to make such determination without all of the correct documents. Petitioner's IFP application lacks the appropriate financial information and documentation required by § 1915(a) and the Local Rules and is therefore denied

1 without prejudice. He will have approximately 45 days from the date of this order to either pay
2 the \$5.00 filing fee or submit a complete IFP application with all required attachments.

3 **IT IS THEREFORE ORDERED:**

- 4 1. Petitioner Corinthian Edwards's Application to Proceed *In Forma Pauperis* (ECF
5 No. 1) is DENIED WITHOUT PREJUDICE.
- 6 2. The Clerk of Court is directed to MAIL / send Petitioner *two* copies of the IFP
7 application for incarcerated individuals along with instructions.
- 8 3. Petitioner must file a complete IFP application by **March 21, 2022**, which must
9 include: (i) a financial certificate signed by Petitioner *and* an authorized prison official,
10 (ii) Petitioner's financial affidavit and acknowledgement, and (iii) a certified copy of
11 Petitioner's inmate trust account statement for the six-month period prior to filing.
12 Alternatively, Petitioner must pay the \$5 filing fee by **March 21, 2022**.
- 13 4. The initial screening of Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1)
14 under the Rules Governing Section 2254 Cases in the United States District Courts and
15 consideration of the Motion for Appointment of Counsel (ECF No. 1-2) are deferred to
16 until such time as he has fully complied with this order.
- 17 5. If Petitioner fails to comply with this order by submitting a completed IFP application
18 with the required documents, or paying the filing fee, before the **March 21, 2022**
19 deadline, the Court will dismiss this action without prejudice and without further
20 advance notice.

21 DATED: **February 2, 2022**

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24 GLORIA M. NAVARRO
25 UNITED STATES DISTRICT JUDGE
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